

McCORMACK DECLARATION

EXHIBIT J

March 20, 2007.

Mark Kanevsky states:

I am the co-owner of Forthright Construction, inc., 2240 McDonald Ave., Brooklyn, NY 11223, (718) 266-7300.

The other owner is Rinat Yanborisov. The company is a general contracting firm, formed 4-5 years ago. We have 3-4 employees and manage the construction project only with all of the labor subcontracted out to various companies.

Wonder Works Construction Corp., located at West 21st Street in Manhattan, is a builder, which on February 19, 2004 contracted Forthright to manage a new construction of a project known as Quentin Terrace at 1671 W. 10th St./99-101 Quentin Rd./103-105 Quentin Rd, Brooklyn, NY, which is a new condominium, consisting of one 5 and one 7 story buildings.

Almost all of the permits for the job are in the name of Wonder Works, which also contracted with Karl Fisher Architects and Goldstein (structural and mechanical engineer) and ADG Engineering (structural and shoring). ADG is located at 744 Broad Street, Suite 1924, Newark, NY 07102. During the work, Wonder Works only had a representative visit the site about 1 x per week. The day to day running of the project was left to Forthright, which hired all of the subcontractors. Igor Sulkin is Forthright's project manager at the site since the structural steel started. Prior to that, Leonid Vinokur, who is no longer with the company, was the manager.

Work at the site began around the time of the contract, beginning with the demolition of 6-7 buildings that Wonder Works had purchased at the site. Only one property owner (for 97 Quentin Ave.) refused to sell, so the project had to be designed around this 3 story structure, which was old and in poor condition prior to any work starting.

Demolition was performed by subcontractor, Maria Grasso of MMG Design, and was completed by March 2004 and signed off in September 2004. MMG was also contracted by Forthright to perform the underpinning and excavation. The only complaint during the demolition was that the walls of the remaining building needed to be waterproofed since we demolished the 2 story building adjacent to it. Even though we were not required to do so, I had those walls waterproofed to avoid any problems.

MMG subcontracted with Monaco Construction Corp. to perform the excavation and underpinning after the demolition was completed and signed off. However, because Monaco was unreliable for coming to the site, they were let go from the project. Forthright then hired ATY Construction to perform the excavation, underpinning and shoring according to ADG plans. ATY was subcontracted in June 2004, after the demolition was completed, and started their work in about June 2004, which included driving piles around most of the perimeter of the site, and underpinning the building at 97 Quentin. The underpinning consisted of removing sections of the soil under the foundation of building, creating wood bracing with rebar reinforcements horizontally and vertically, so that the concrete that gets poured will be interconnected. This was done in two stages, so that when ATY was done, there was a new concrete support under that building, at least 2 feet thick and four feet deep. That underpinning and excavation was completed in late 2004 or early 2005. Right around the time that the excavation and underpinning was completed, we examined the basement of 97 Quentin and found many cracks in the foundation (but he complained only about one), which were the same as the exterior photos that I took prior to excavation. In addition, there was a crack in the slab, almost the entire length of the basement. It was my feeling that this crack was not recent, and was probably the result of underground pipes leaking, since there were signs of a pipe in that area, and the section of crack that was the largest, was directly near the filter tank for the Laundromat that occupied the 1st floor.

I have photographs of the foundation of this building before the excavation, which illustrate several existing cracks.

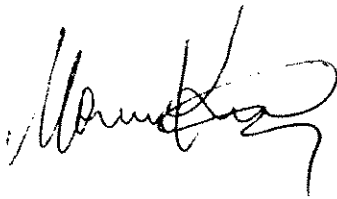
Additionally, when the piling was being done, we had a company at the site to measure the vibrations near the adjacent buildings, and they were within normal levels.

After ATY poured the new foundation, the structural steel was erected by N & C Iron Works, 1117 60th Street, Brooklyn, NY starting in May 2005. In early 2006 the masonry company, OMI Construction, 1411 Avenue N, Suite C2, Brooklyn, NY, began work on the exterior of the building, and during their work they erected a scaffold on the 1 story section of 97 Quentin without the consent of the owner. About 3 – 4 weeks ago I met with the lawyer for the owner and inspected the main roof where they claim it was damaged. However the roof is old and there are sections where flashing is peeling away, allowing water penetration, and there is a section where they claim something fell on the roof, which is now covered with new flashing cement. It does not look like there was a penetration in this area where the bulkhead is.

I also saw the basement again, and the walls appeared to be the same as at my 1st inspection. It is difficult to say whether the floor was worse, because during the 1st visit the basement was not clean and it was difficult to see.

During the 2nd visit, I was also shown a small hole in the slab, near the boiler. It was about 6" in diameter, and it was apparent that the slab was only a couple of inches thick. I do not know the cause of this hole, but I don't think it was anything to do with our construction. I speculate that there was probably water infiltration between the rear of that building and 2nd story building that we demolished which may have caused all of the cracks in the wall and problems with the foundation.

I, Mark Kanevsky, have read this 2 page statement and it is true to the best of my knowledge.



03.20.07